

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

Dianne Plasschaert

SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

'08 CIV 40977

Merck & Co., Inc., and Novartis Pharmaceuticals Corporation

TO: (Name and address of defendant)

Novartis Pharmaceuticals Corporation
One Health Plaza
East Hanover, New Jersey 07936-1080

Merck & Co., Inc.
One Merck Drive
Whitehouse Station, NJ 08889

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Beattie and Osborn LLP
521 Fifth Avenue, 34th Floor
New York, New York 10175

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

MAY 01 2008

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT**
 EFFECTED (1) BY ME: **PASCAL KUVALAKIS**
 TITLE: **PROCESS SERVER**

DATE: 05/06/2008 01:45PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

 Served personally upon the defendant:NOVARTIS PHARMACEUTICALS CORPORATION

Place where served:

ONE HEALTH PLAZA EAST HANOVER TWP. NJ 07936 Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:ANDREW HASKELL ESQ.Relationship to defendant: ATTORNEY

Description of person accepting service:

SEX: M AGE: 36-50 HEIGHT: 5'4"-5'8" WEIGHT: 161-200 LBS. SKIN: WHITE HAIR: BLACK OTHER: _____ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

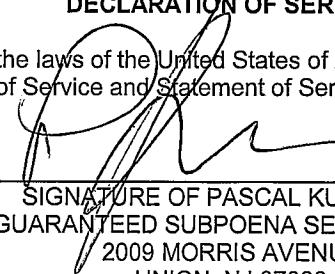
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 5/6/2008


 L.S.
 SIGNATURE OF PASCAL KUVALAKIS
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

5-6-08J. Santiago

JANIRA SANTIAGO VELEZ
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires April 24, 2012

ATTORNEY: RUSSELL H. BEATIE
 PLAINTIFF: DIANNE PLASSCHAERT
 DEFENDANT: MERCK & CO, INC., ET AL
 VENUE: DISTRICT
 DOCKET: 08 CV 4097

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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